

Docket No.: RIC96161

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 14 2006


Applicant(s): Haberman et al. Confirmation No.: 7536
Serial No.: 09/002,187 Art Unit: 2152
Filed: December 21, 1997 Examiner: T. Vu
Title: System and Method for Establishing a Virtual Circuit in an ATM Network

RENEWED PETITION UNDER 37 CFR 1.137

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMISSION CERTIFICATE UNDER 37 C.F.R. §1.8(a)

I hereby certify that the correspondence cited hereon is being sent via facsimile to the USPTO Centralized Facsimile Number (571.273.8300) on August 14, 2006.


Eden U. Wright

Sir:

Further to the undersigned's telephone communication with Derek Woods of the United States Patent & Trademark Office's Petitions Office, submitted herewith is a copy of Applicants' fifth request for the status of the Petition to Withdraw Holding of Abandonment Under 37 CFR 1.181(a). Further attached is a copy of the Petition to Withdraw Holding of Abandonment filed May 10, 2001, and a copy of the Issue Fee Payment filed March 19, 2001.

Statement of Facts

Applicants filed a Petition to Withdraw Holding of Abandonment Under 37 CFR 1.181(a) on May 10, 2001, and have not yet received a decision on the Petition. Applicants received a telephone call from Jim Alexander (P/OPPD; (703)305-8387) indicating that the official USPTO file was lost. Applicants believe that this may be hindering the decision on the Petition, so Applicants filed a copy of Applicants' file history on September 26, 2003. However, Applicants still have not yet received any type of action in this case.

October 4, 2005, Applicants reviewed the Patent Application Information Retrieval system (PAIR) for the current status on the above-noted application (copy included). Under the File History, there is an entry for "12-09-2004: Mail Reconstruction Notice." However, Applicants submit that the Notice was never received, and hereby petition to have any statutory deadlines restarted.

To expedite the reconstruction of the file, review of the Petition to Withdraw Wrongful Holding of Abandonment and issuance of the application as a

Docket No.: RIC96161

patent, Applicants submitted a true copy of the file history. The undersigned attested that a search of the file jacket and docket records indicated that the Notice of Reconstruction was never received. Evidence that the Notice mailed on December 9, 2004, was never received is provided in the form of a copy of the docket record showing December 9, 2004, through March 9, 2005 (three months from the date of the action), where the non-received Notice would have been entered had it been received and docketed is attached to this statement.

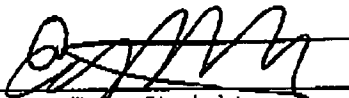
Applicants therefore petition for withdrawal of the holding of abandonment in the above-identified application under 37 C.F.R. §1.181(a).

According to 37 C.F.R. §1.181(d) and M.P.E.P. 711.03(c), Applicants believe that no fee is due. However, should the Commissioner deem a fee due in connection with this paper, please charge any shortage in fees, including extension of time fees, to Deposit Account 13-2491 and please credit any excess fees to such deposit account.

Should anything further be required, Applicants request that the undersigned be contacted at the telephone number indicated below.

Respectfully submitted,

Date: March 28, 2006


Eden U. Stright
Registration No. 51,205

Verizon
1515 Courthouse Road, Suite 500
Arlington, VA 22201-2909
Tel: 703.351.3586
Fax: 703.351.3665

Acknowledgement Receipt

The USPTO has received your submission at **13:53:55** Eastern Time on **28-MAR-2006**.

No fees have been paid for this submission. Please remember to pay any required fees on time to prevent abandonment of your application.

eFiled Application Information

EFS ID	1013190
Application Number	09002187
Confirmation Number	7536
Title	SYSTEM AND METHOD FOR ESTABLISHING A VIRTUAL CIRCUIT IN AN ATM NETWORK
First Named Inventor	RANDY HABERMAN
Customer Number or Correspondence Address	25537
Filed By	Eden U.I. Stright
Attorney Docket Number	RIC-96-161
Filing Date	31-DEC-1997
Receipt Date	28-MAR-2006
Application Type	Utility

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Application Details

Submitted Files	Page Count	Document Description	File Size	Warnings
RIC98014P2_Status_Inquiry-2006-03-28.pdf	1	Request for status of Application	4703 bytes	◆ PASS

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53 (b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

If you need help:

- Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail EBC@uspto.gov for specific questions about Patent e-Filing.
- Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).
- If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](#) or call 1 800-786-9199.

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Applicant(s): Haberman et al. Confirmation No.: 7536
Serial No.: 09/002,187 Art Unit: 2152
Filed: December 21, 1997 Examiner: T. Vu
Title: System and Method for Establishing a Virtual Circuit in an ATM Network

AUG 14 2006

FIFTH STATUS INQUIRY REGARDING
PETITION TO WITHDRAW WRONGFUL HOLDING OF ABANDONMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This is Applicants FIFTH request for the status of the Petition to Withdraw Holding of Abandonment Under 37 CFR 1.181(a). Please advise us in writing as to the status of the above-noted application.

Applicants filed a Petition to Withdraw Holding of Abandonment Under 37 CFR 1.181(a) on May 10, 2001, and have not yet received a decision on the Petition. Applicants received a telephone call from Jim Alexander (P/OPPD; (703)305-8387) indicating that the official USPTO file was lost. Applicants believe that this may be hindering the decision on the Petition, so Applicants filed a copy of Applicants' file history on September 26, 2003. However, Applicants still have not yet received any type of action in this case.

October 4, 2005, Applicants reviewed the Patent Application Information Retrieval system (PAIR) for the current status on the above-noted application (copy included). Under the File History, there is an entry for "12-09-2004: Mail Reconstruction Notice." However, Applicants submit that the Notice was never received, and hereby petition to have any statutory deadlines restarted.

To expedite the reconstruction of the file, review of the Petition to Withdraw Wrongful Holding of Abandonment and issuance of the application as a patent, Applicants have submitted herewith a true copy of the file history.

The undersigned attests that a search of the file jacket and docket records indicates that the Notice of Reconstruction was never received. Evidence that the Notice mailed on December 9, 2004, was never received is provided in the form of a copy of the docket record showing December 9, 2004, through March 9, 2005 (three months from the date of the action), where the

Docket No.: RIC96161

non-received Notice would have been entered had it been received and docketed is attached to this statement.

Applicants therefore petition for withdrawal of the holding of abandonment in the above-identified application under 37 C.F.R. §1.181(a).

According to 37 C.F.R. §1.181(d) and M.P.E.P. 711.03(c), Applicants believe that no fee is due. However, should the Commissioner deem a fee due in connection with this paper, please charge any shortage in fees, including extension of time fees, to Deposit Account 13-2491 and please credit any excess fees to such deposit account.

Should anything further be required, Applicants request that the undersigned be contacted at the telephone number indicated below.

Respectfully submitted,

Date: March 28, 2006

/Eden U.I. Stright/
Eden U.I. Stright
Registration No. 51,205

MCI, LLC
1133 19th Street, NW
Washington, DC 20036
Phone: 202 736-6008
Fax: 202-736-6382

BEST AVAILABLE COPY

INSTRUCTIONS TO DOCKET CLE.

THE FOLLOWING PAPERS HAVE BEEN FILED:

DESCRIPTION OF PAPER	Transmittal Form: <i>rus 5/10/01</i>		
<u>Petition to Withdraw Holding of Abandonment Under CFR 1.181(a);</u>			
<u>Copy of Return Postcard; Copy of Transmittal Form; Copy of</u>			
<u>Issue Fee Transmittal; Copy of Submission of Formal Drawings;</u>			
<u>Copy of Submission of Formal Drawings Ltr.; Return Postcard</u>			
APPLICANT	Randy Haberman et al.	RECEIVED	
SERIAL NO.	09/002,187	MAY 10 2001	
ATTORNEY DOCKET NO.	RIC-96-161	Technology Center 2600	
TITLE	System and Method for Establishing...		
SENDERS INITIALS	tg	DATE MAILED	HAND DELIVERY May 10, 2001

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AUG 14 2006

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

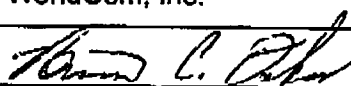
Approved for use through 10/31/2002. OMB 0851-0031

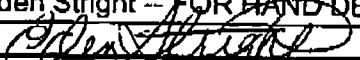
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	
Application Number	09/002,187
Filing Date	December 31, 1997
First Named Inventor	Randy HABERMAN et al.
Group Art Unit	2152
Examiner Name	T. Vu
Attorney Docket Number	RIC-96-161
Total Number of Pages in This Submission	17

ENCLOSURES <i>(check all that apply)</i>		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> Copy of Date-Stamped Postcard; Copy of Transmittal Form; Copy of Issue Fee Transmittal; Copy of Submission of Formal Drawings; Copy of Formal Drawings
Remarks _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Brian C. Oakes, Reg. No. 41,467 WorldCom, Inc.
Signature	
Date	5/10/2001

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: May 10, 2001	
Typed or printed name	Eden Stright -- FOR HAND DELIVERY TO USPTO
Signature	
Date	5/10/2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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Docket No.: RIC 96 161

AUG 14 2006

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Randy HABERMAN, et al.

Serial No.: 09/002,187

Group Art Unit: 2152

Filed: December 31, 1997

Examiner: T. Vu

For: SYSTEM AND METHOD FOR ESTABLISHING A VIRTUAL CIRCUIT IN AN ATM
NETWORK**PETITION TO WITHDRAW
HOLDING OF ABANDONMENT UNDER 37 CFR 1.181(a)**Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Applicant hereby respectfully petitions for withdrawal of the holding of abandonment in the above-mentioned application.

In response to the Notice of Allowance issued December 18, 2000, an Issue Fee payment was timely filed with a certificate of mailing on Monday, March 19, 2001. The postcard evidence provided herewith shows that the issue fee was, in fact, paid by Applicant and received by the U.S. Patent and Trademark Office. See attachment I.

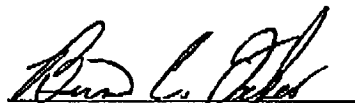
Even though Applicants have properly paid the Issue Fee (See attachment II), a Notice of Abandonment has been received (dated April 26, 2001). Applicant respectfully submits that, in view of the postcard evidence provided herewith, the issue fee was, in fact, filed by Applicant and received by the U.S. Patent and Trademark Office. Applicant therefore submits that the proper payment of the Issue Fee should allow the application to issue as a patent. It is respectfully requested that the abandonment of the application be withdrawn and that the application be forwarded to issue branch in preparation for issuance.

Serial No.: 09/002,187

CONCLUSION

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 13-2491 and please credit any excess fees to such deposit account.

Respectfully submitted,
WorldCom, Inc.



Brian C. Oakes
Registration No. 41,467

Technology Law Department
1133 19th Street, NW
Washington, DC 20036
(202) 736-6371
Date: May 10, 2001
Facsimile: (202) 736-6382

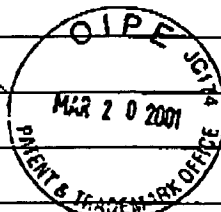
Serial No.: 09/002,187

ATTACHMENT I
(Stamped Postcard indicating reception of Issue Fee Payment at USPTO)

INSTRUCTIONS TO DOCKET CLERK

THE FOLLOWING PAPERS HAVE BEEN FILED:

DESCRIPTION OF PAPER	Issue Fee Payment Transmittal; Submission of Formal Drawings Letter; (5) Sheets of (5) Figures of Formal Drawings; Transmittal Form; Certificate of Mailing; Return Postcard		
APPLICANT	Randy Haberman et al		
SERIAL NO.	09/002,187		
ATTORNEY DOCKET NO.	RIC 96 161		
TITLE	System and Method for Establishing a Virtual		
SENDER'S INITIALS	ANT	DATE MAILED	3/19/2001

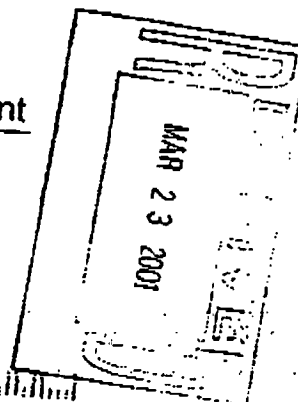
**WORLDCOM, INC.**

Attn: Technology Law Department

Dept.: 9854/003

1133 19th Street, N. W.

Washington, D.C. 20036



20036/3604

Serial No.: 09/002,187

ATTACHMENT II

(Copy of Issue Fee Payment and Formal Drawings filed on March 19, 2001)

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AUG 14 2006

PTO/SB/21 (6-98)

Please type a plus sign (+) inside this box → ☒Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/002;187	
	Filing Date	December 31, 1997	
	First Named Inventor	Randy Haberman et al	
	Group Art Unit	2162	
	Examiner Name	Thong Vu	
Total Number of Pages in This Submission	10	Attorney Docket Number	RIC 96 161

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Issue Fee Transmittal Submission of Formal Drawing Letter Return Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Paul A. Roberts Reg. No. 40,289 WorldCom, Inc.
Signature	<i>[Signature]</i>
Date	3/19/01

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: March 19, 2001	
Typed or printed name	Angela N. Trafton
Signature	<i>[Signature]</i>
Date	3/19/2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

P. 14/23

AUG 14 2006

Note: The certificate of mailing below can only be used for domestic mailings of the Issue Fee Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing.

I hereby certify that this Issue Fee Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above on the date indicated below.

(Depositor's name)

Angela M. Crafton
3/19/2001

[Signature]

Poster

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
13,502,187	12/31/97	823	WU, -	1152 - 11/13/98

First Name: BOOTHBY, J. Date: 05 Dec 2016 Time: 14:05:00

FILE OF INVENTION

ATTYS DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
11810-99-101	7-05-100,000	450	UTIL. INV.	NO	\$1240.00	10/19/7

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
Use of PTO form(s) and Customer Number are recommended, but not required.

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47) attached.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

- 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)**
PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the PTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE **MCI Communications Corporation**

(B) RESIDENCE: (CITY & STATE OR COUNTRY) Washington, DC

Please check the appropriate assignee category indicated below (will not be printed on the patent)

☐ individual ☒ corporation or other private group entity ☐ government

- 4a. The following fees are enclosed (make check payable to Commissioner of Patents and Trademarks):

- Issue Fee _____
— Advance Order - # of Copies _____

- 4b. The following fees or deficiency in these fees should be charged to:

DEPOSIT ACCOUNT NUMBER 13-2491
(ENCLOSE AN EXTRA COPY OF THIS FORM)

- ☒ Issue Fee
 . Advance Order - # of Copies _____

The COMMISSIONER OF PATENTS AND TRADEMARKS IS requested to apply the Issue Fee to the application identified above.

(Authorized Signature) Paul A. Roberts Reg# 40,289

(Date) 3/19/01

NOTE: The Issue Fee will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the Patent and Trademark Office.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending on the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND THIS FORM TO: Box Issue Fee, Assistant Commissioner for Patents, Washington D.C. 20231**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS MESSAGE BY AIR MAIL

PTOL-85B (REV. 10-96) Approved for use through 06-30-99 OMB 0651-0033

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

PAGE 14/23 * RCVD AT 8/14/2006 1:02:29 PM (Eastern Daylight Time) * SVR:USPTO-EFAXRF-1/3 * DNIS:2738300 * CSID:703 351 3652 * DURATION (mm-ss):05-22

Copied from 09022187 on 09/13/2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
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AUG 14 2006

In re application of:

Art Unit: 2152

HABERMAN et al

Serial No. 09/002,187

Examiner: T. Vu

Filed: 12/31/1997

Attorney Docket: RIC96 161

For: System and Method for Establishing a Virtual Circuit in a ATM Network

Submission of Formal Drawings

BOX ISSUE FEE

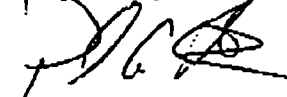
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Transmitted herewith are 5 sheet(s) of 5 figure(s) of formal drawings to be substituted for the corresponding drawing sheets presently on file in the above-identified application.

The Commissioner is hereby authorized to charge payment of extension or petition fees under 37 CFR 1.17 for any additional filing fees required under 37 CFR 1.16, and any patent processing fees under 37 CFR 1.16, and any fees associated with the recordation of the Assignment during the pendency of this application or credit any overpayment to our Deposit Account 13-2491.

Respectfully submitted,

Paul A. Roberts
Reg. No. 40,289

March 19, 2001

WorldCom, Inc.
Technology Law Department
1133 19th Street, NW
Washington, DC 20036
Tel: (202) 736-6604
Fax: (202) 736-6382

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

Art Unit: 2152

AUG 14 2006

HABERMAN et al

Serial No. 09/002,187

Examiner: T. Vu

Filed: 12/31/1997

Attorney Docket: RIC96 161

For: System and Method for Establishing a Virtual Circuit in a ATM Network

Submission of Formal Drawings

BOX ISSUE FEE

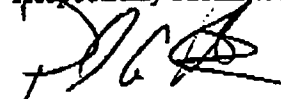
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Transmitted herewith are 5 sheet(s) of 5 figure(s) of formal drawings to be substituted for the corresponding drawing sheets presently on file in the above-identified application.

The Commissioner is hereby authorized to charge payment of extension or petition fees under 37 CFR 1.17 for any additional filing fees required under 37 CFR 1.16, and any patent processing fees under 37 CFR 1.16, and any fees associated with the recordation of the Assignment during the pendency of this application or credit any overpayment to our Deposit Account 13-2491.

Respectfully submitted,

Paul A. Roberts
Reg. No. 40,289

March 19, 2001

WorldCom, Inc.
Technology Law Department
1133 19th Street, NW
Washington, DC 20036
Tel: (202) 736-6604
Fax: (202) 736-6382

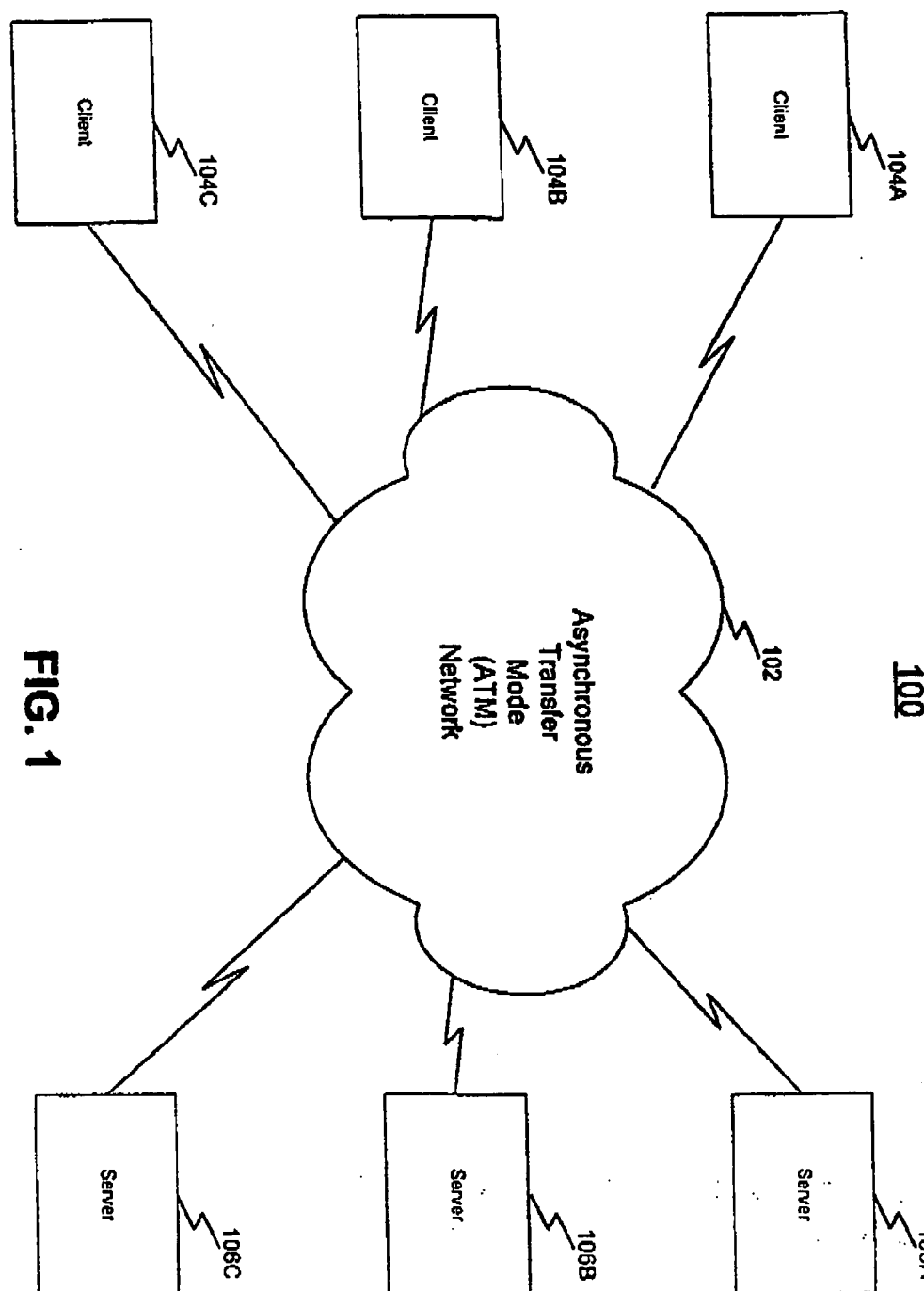
Docket No.: RIC96161

Appin N: 09/002,187

Title: System and Method for Establishing a Virtual Circuit in an ATM Network

Inventors: R. Haberman et al

Sheets of Drawings: 1 of 5



Docket No. RIC96187

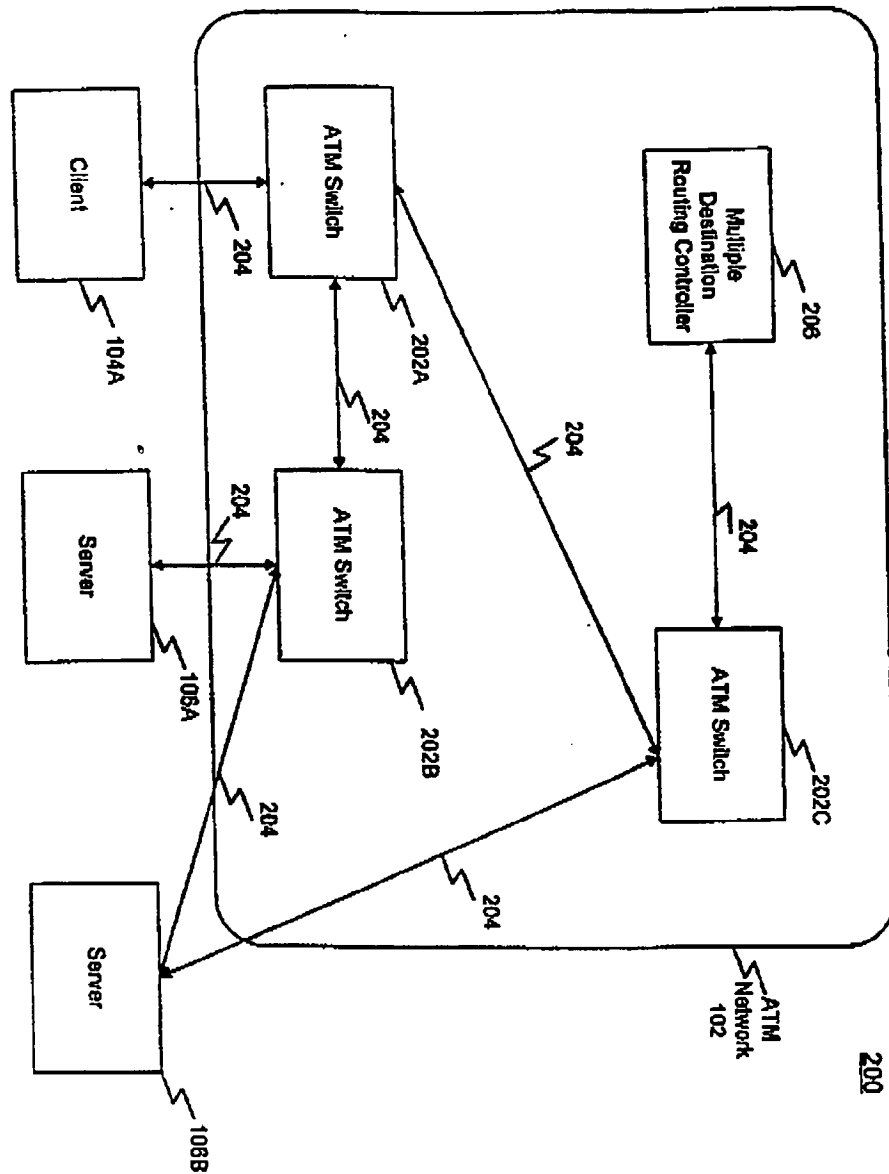
No. 09/002.187

Title: System and Method for Establishing a V. Circuit in an ATM Network

Inventors: R. Haberman et al

Sheets of Drawings: 2 of 4

FIG. 2



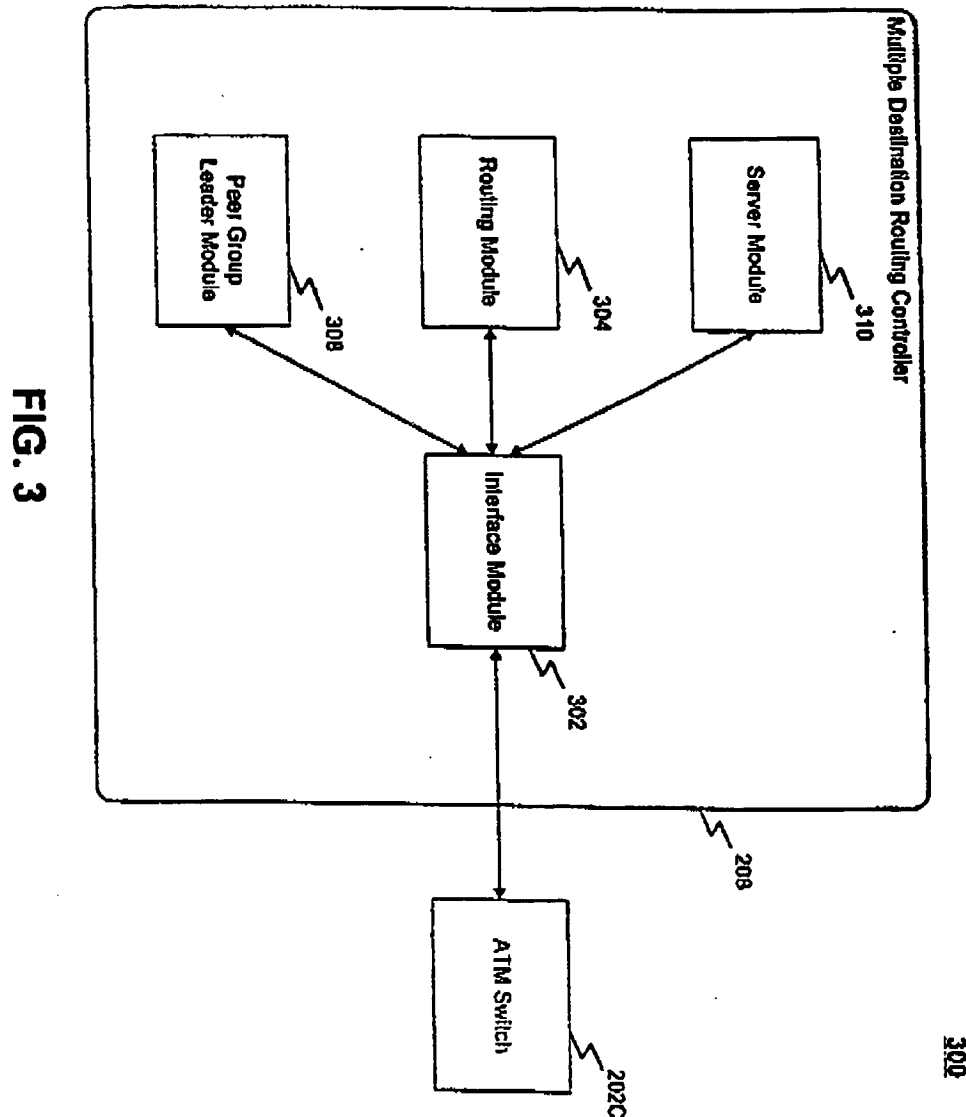
Docket No.: RIC96161

Appl. No. 09/002,187

Title: System and Method for Establishing a Virtual in an ATM Network

Inventors: R. Haberman et al

Sheets of Drawings: 3 of 5



Docket No.: RIC96161

Appin No.: V 161

Title: System and Method for Establishing a Virtual Circuit in an ATM Network

Inventors: R. Haberman et al

Sheets of Drawings: 3 of 5

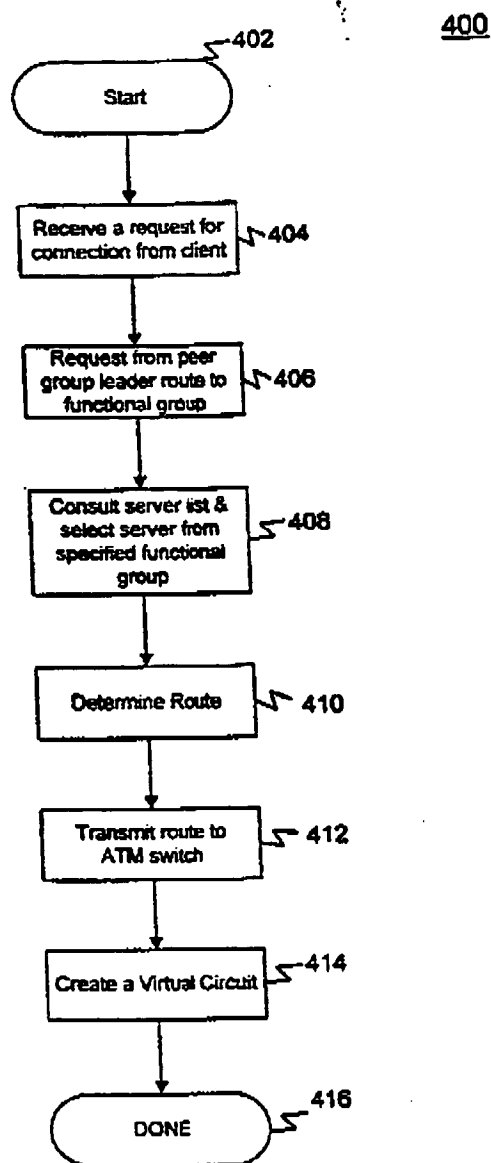


FIG. 4

Docket No.: RIC96161

Appln No.: 02,187

Title: System and Method for Establishing a Virtual Circuit in an ATM Network

Inventors: R. Haberman et al

Sheets of Drawings: 5 of 5

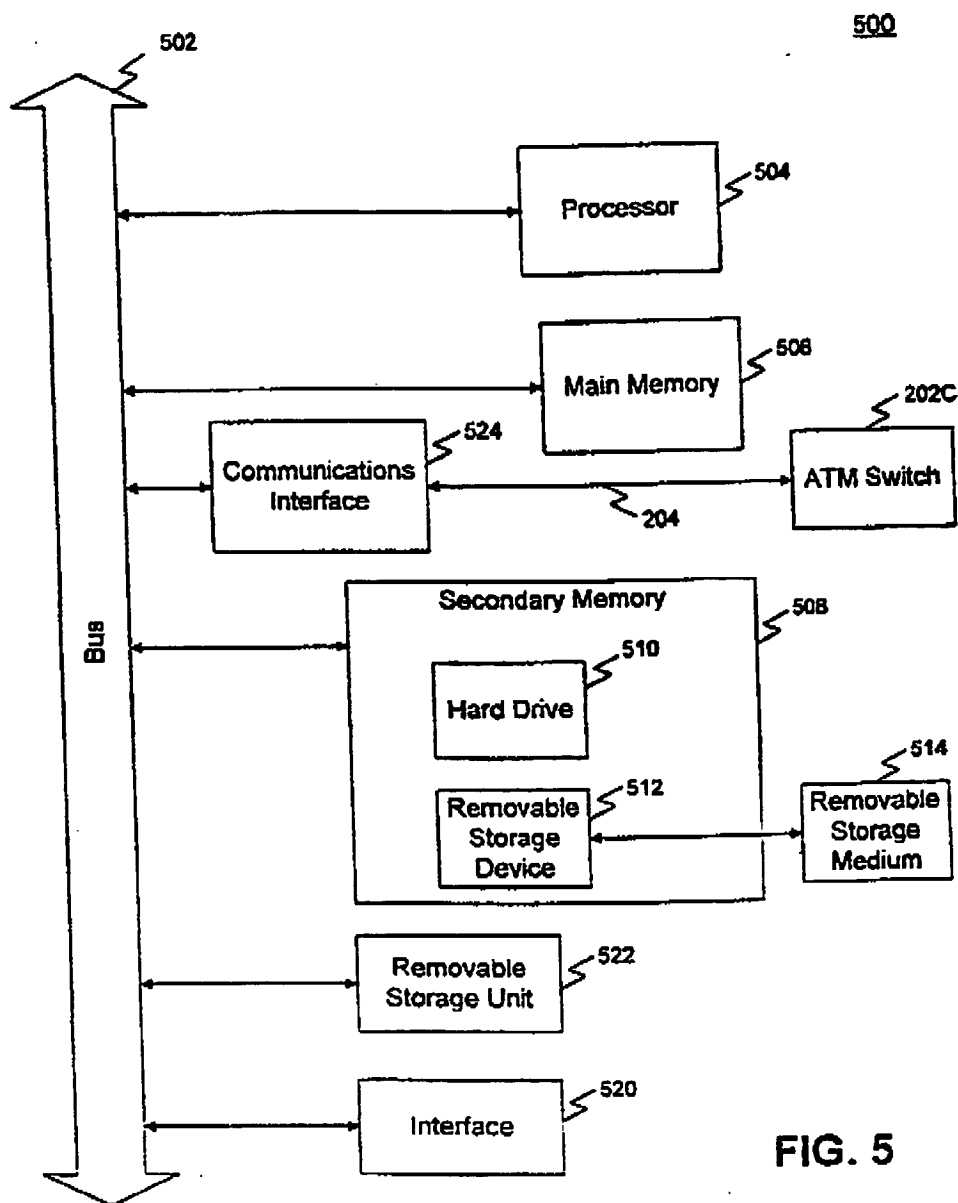


FIG. 5

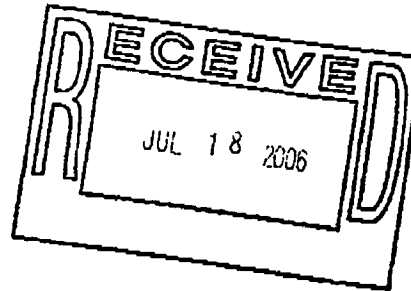


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WASHINGTON, DC 20036



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JUL 17 2006

In re Application of
Haberman et al.
Application No. 09/002,187
Filed: December 31, 1997
For: SYSTEM AND METHOD FOR
ESTABLISHING A VIRTUAL CIRCUIT
IN AN ATM NETWORK

DOCKETED

OFFICE OF PETITIONS

Due Date

9/17/2006

This is a decision on the Petition to Withdraw Wrongful Holding of Abandonment and in response to the several Status Inquiries filed in this application. The petition is properly treated under 37 CFR § 1.181. The delay in treating this petition is regretted.

The Petition is dismissed.

Any further petition to revive the above-identified application must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137." This is **not** final agency action within the meaning of 5 U.S.C. § 704.

The above-identified application became abandoned for failure to timely and properly reply to the Notice of Allowance and Issue Fee Due, mailed December 18, 2000. The Notice set a non-extendable three (3) month period for reply. No response having been received, the application became abandoned on March 19, 2000. A Notice of Abandonment was mailed April 25, 2001.

The application file was subsequently lost, and was identified as lost on October 1, 2003.

On October 5, 2005, this Office received the instant petition. The petition provides that Applicant reviewed the file history for this application on October 4, 2005, and discovered an entry of "Mail Reconstruction Notice" entered December 9, 2004. Applicant filed the instant petition wherein Applicant avers non-receipt of the Notice. In addition to copies of applicant's file jacket and

Application No. 09/002,187

Page 2

docket records, Applicant provides a copy of the application file history and what is putatively a copy of the application papers.

Analysis and conclusion

Applicant is advised that the application became abandoned, as indicated in the copy of the file history provided by applicant, for failure to reply to the Notice of Allowance and Issue Fee Due, and Notice of Allowability, mailed December 18, 2000.

Applicant has failed to demonstrate non-receipt of the Notices, and failed to demonstrate that a timely reply to the Notices was filed.

Applicant should file a Request for Reconsideration of Petition and include the necessary statements and copies of documents.

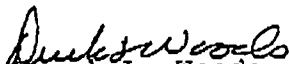
Further correspondence with respect to this matter should be addressed as follows:

By mail: Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

By FAX: (571) 273-8300
Attn: Office of Petitions

By hand: Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.


Derek L. Woods

Attorney
Office of Petitions

Cc: VERIZON
PATENT MANAGEMENT GROUP
1515 N. COURTHOUSE ROAD
SUITE 500
ARLINGTON VA 22201-2909

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